President.—That is another point. We have considered that also.

Mr. T. K. Krishna Menon.—This is no analogy to the motions during the Budget Session because the case there is different.

Mr. M. K. Raman.—With regard to the question of balloting, it is only when there are more Bills than one of the same stage that the question of balloting will come in.

President.—We have considered all these points and given a ruling. Since you say you want it to be reconsidered, I shall reconsider it.

Mr. M. K. Raman.—Even with regard to balloting, the answer to question 601 is that 9 resolutions were received late and so they were put in the list after the balloted ones. The process of balloting is only just to arrange the order in which they should come up. That is not an essential condition and I am prepared to take this as the last one. The worst that will happen in the ballot is that it may come as the last one. So this may be considered and a ruling given.

Bill to amend the Cochin Nayar Regulation.

President.—The next item is the introduction of the Bill to amend the Cochin Nayar Regulation of Mr. Kannan Nayar.

Mr. K. P. Kannan Nayar.—I move that the Bill to amend the Cochin Nayar Regulation be read in Council.

Mr. E[illegible]Ikkanda Warriar.—I beg to second it.

Mr. K. P. Kannan Nayar.—I do not propose to discuss at length the general principles underlying these amendments. The amendments are about 21 in number, and some of them are only verbal alterations intended to clear the language of some of the sections of the Regulation in order to satisfy the spirit of the decisions, which have been now and then given with reference to some of these sections, and there are some other changes, of course, one or two, which may require some serious consideration. One like that is with reference to the dissolution of marriage on account of certain reasons. There is an amendment to this proposed by me, and probably that may have to be very seriously considered by this House. There is another amendment with reference to family management. I do not want to go into the details of all these amendments. I have proposed that the *karanavan* may be made accountable with reference to his management. As the Regulation now stands, it is doubted by the Highest Court whether he has got liability to account to any other member. That liability itself being doubted, it is doubtful whether that liability can be enforced by any other member or any *thavazhi* by means of taking any proper legal process. With reference to delegation of powers, the Regulation states

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that the *karanavan* on no account can delegate his powers. I have sought to introduce that by a registered instrument,he can delegate the powers to any other member of the family. In some cases it may be absolutely necessary for the purpose of expediency that the *karanavan* may have to reside out of the family and he may have to delegate his functions to any other *ananthiravan* of the family. That also is sought to be introduced here. In fact, I have taken that amendment from the recent Nayar Regulation that has been passed in Travancore. There is also another important amendment that I seek to introduce. As the Regulation now stands, as regards the offspring of a previous marriage, which marriage does not exist when the present Regulation was passed, such offspring also shall have the right of inheritance so far as the father's property is concerned. They won't now get anything of the father's property when the father dies. I have sought this change to be introduced here, and that is also a change introduced and approved by the Travancore Council recently. Of course, there are some other minor changes also. I hope there would be no opposition to this Bill being considered in this House itself at this stage. If any controversial matter arises, if the House gives me leave to read it, I propose that the matter may be referred to a Select Committee also.

President.—Then there is the other matter regarding the other castes such as Wariars, and others.

Mr. K. P. Kannan Nayar.—So far as that is concerned, there are two other Bills, one of Mr. Ramachandra Ayyar and another by me, and if the Select Committee is so inclined, they may consider this matter also. I have sought to introduce a separate Bill for that.

President.—What is that Bill?

Mr. K. P. Kannan Nayar.—The Marumakkathayam Bill. There is one coming up to-day. I do not think those Bills will be moved this time as both of us have agreed not to move them. Anyhow that will be a matter to be considered by the Select Committee. So I request that the House will be pleased to allow me to read the Bill in Council and accept my amendment.

Mr. C. A. Kunjunni Raja.—Though I perfectly agree with the principle that,in amending the Nayar Regulation which concerns mainly the Nayar community we have to be guided largely by the opinion of the majority of the Nayar Members of this Council, there are provisions in this proposed amendment before the Council, which substantially and painfully affect other communities and to which very serious objections have to be raised. For instance, amendment No. 9 is: "*in the proviso to section 11, omit the words "or has renounced Hinduism or*

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has become an out-caste". This is a highly controversial matter and I do not know whether it has the support of the Nayar community themselves. This amendment will affect members of other communities who can marry Nayar women. The proposal that the marriage tie is still to continue even if one of the parties has renounced Hinduism or has become an out-caste is dangerous and highly objectionable. I am glad the Member for Vellarappalli has already brought this to the notice of the House. Sir, there was an attempt to introduce a wider measure of the same type in the last Council, in the Caste and Religious Disabilities Removal Bill brought by the Member for Kunnamkulam. It was, no doubt, from that Bill that I got inspiration to introduce my Cochin Chief Court Regulation Amendment Bill. The opening sentence of the Objects and Reasons of my Bill is taken from the Objects and Reasons of the Bill of the Hon'ble Member for Kunnamkulam. If the previous proceedings of my Bill were examined, this fact would have been clear to all honest observers. This is by way of explanation to remove some misconception which was found in the Council yesterday that I was the person who threw the apple; but now it will be found I got only a fragment of the thrown apple whose ownership lies elsewhere. Can I take back what is not mine? Only a sprout is generated from the fragment. If this fact was known, I am sure much of the heat could have been saved yesterday and it would not have been necessary on account of the heat to drink water in open Council as the Hon'ble Member for Trippunittura was constrained to do yesterday.

Mr. Thomas Manjuran.—Are we to hear the reply to yesterday's debate?

Mr. C. A. Kunjunni Raja.—On account of the motion to pass over, yesterday I had absolutely no opportunity to speak. I am sure the Member for Vellarappalli does not want to adopt these dangerous principles and enjoy a fragment of the apple owned by the Member for Kunnamkulam. Then there are some other provisions also in the Amending Bill which I fear may not be workable. Amendment Number 20 provides that after partition under certain circumstances the members of a family are to live in common enjoyment. I think it will be unworkable and I have not come across any such provision anywhere. Anyhow the Member for Vellarappalli has agreed to have a Select Committee. I want only to make these observations and do not oppose the introduction.

Dr. A. R. Menon.—I entirely subscribe to the views of Mr. Kunjunni Raja. I am sure, so far as that clause is concern-

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ed, the mover may expect vehement and persistent opposition. I fail to see and I do not know why he has introduced this. I do not know what is the authorisation which has prompted him to introduce this provision. If he introduced it as the leader of the Nayars, that leadership is not unquestioned.

President.—You don't oppose?

Dr. A. R. Menon.—I just give you a fore-warning of what he may experience.

Question proposed: "*That the Bill to amend the Cochin Nayar Regulation be read in Council.*"

Question put and agreed to.

President.—The Secretary will read the title of the Bill.

Secretary to the Council.—The title of the Bill is "A Bill to amend the Cochin Nayar Regulation."

Mr. K. P. Kannan Nayar.—I move that the Bill may be referred to a Select Committee consisting of the following Members, *viz.*, Mr. V. K. Kochunni Menon, Dr. A. R. Menon and Messrs. P. Krishna Menon, T. K. Krishna Menon, E. Ikkanda Warriar, the Government Advocate and myself.

Dr. A. R. Menon.—I wish to add two more names. One shall be Mr. Raja and I want some one who is not a Nayar. I will propose Mr. Ayyappan.

Mr. K. P. Kannan Nayar.—So far as Mr. Raja is concerned, I have absolutely no objection. It may not be taken that I do not accept the name of the other Member for any particular reason. But I do not see when this is going to affect only a particular community why a Member from another community should be taken. As for Mr. Raja and Ikkanda Warriar, they are Members of a community who are allowed to have at present marriages with the Nayar community. So, I do not find there is any absolute necessity for the other Member.

Dr. A. R. Menon.—The reason why I suggested him was, in a matter like this, it would be better to get one outsider. For example, I cannot, by any stretch of my imagination, call Mr. Salema Nambudiri. He was a Member in the Nambudiri Regulation Bill Select Committee. That is why I suggested the name of an outsider.

Mr. K. P. Kannan Nayar.—That is the very reason why I do not want such names. Not that I have any objection.

Mr. K. Ayyappan.—I do not want it. Sir.

President.—Why are you so very particular?

Dr. A. R. Menon.—It is advantageous to have an out sider He may have a point of view which others may not have.

President.—Since Mr. Ayyappan does not wish it, you on't press?

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Dr. A. R. Menon.—All right, Sir.

President.— So, Mr. Raja's name may also be included. Who seconds the motion?

Mr. E. Ikkanda Warriar.—I second it.

Question proposed: "*That the Bill be referred to a Select Committee.*"

Question put and agreed to.

President.—Will you accept, Mr. Kochunni Menon, if I appoint you as the Chairman of the Committee?

Mr. V. K. Kochunni Menon.—I shall accept it.

President.—Mr. V. K. Kochunni Menon shall be the Chairman of the Select Committee.

Mr. K. P. Kannan Nayar.—The Committee may be requested to report on this Bill within a period of 6 months.

Mr. E. Ikkanda Warriar.—I beg to second it.

Question proposed:—"*That the report of the Select Committee be presented to the House within 6 months from this date.*"

Question put and agreed to.

The Cochin Cow Protection Bill.

President.—Mr. Ramachandra Ayyar will move to introduce the Cochin Cow Protection Bill.

Mr. T. A. Ramachandra Ayyar.—Sir, I beg to move that the Cochin Cow Protection Bill be read in Council.

Mr. C. A. Kunjunni Raja.—I second it.

Mr. T. A. Ramachandra Ayyar.—Let me begin with the memorable words of Mahatma Ghandhi that the "*the cow is a poem of pity*". This is also confirmed by Dr. A. A. Macdonnel "*that to no other animal has mankind owed so much and the debt richly repaid with a veneration unknown in other lands. So important a factor has the cow proved in Indian life and thought.*"

At the coronation of the Hindu kings of old, it is said that an oath to protect the Brahmin and the cow was usually taken. The former part of the oath being beyond the purview of the Bill, I shall confine my observations on the sanctity of the cow from religious as well as economic points of view.

The history of cow protection in India is one of the brilliant phases of our national strivings. The cow occupied a prominent place in the mind of the sons of Bharata Varsha ever since the Aryans set their foot on the Indian soil. Not merely the Aryans of India but the members of the Aryan stock who will be found disbursed in foreign lands, specially the Indo-Aryans, have an exemplary veneration towards bovine cattle. In the *Rigveda* it is said "*the principle means of subsistence was cattle keeping*". Repeatedly in the Hymns we meet with prayers for whole-herds of cows especially milch cows "*which*

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